

Appendix to Amendment
Application S.N. 10/678,759
Dated October 22, 2007

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From: Michael Straub**Sent:** Thursday, October 11, 2007 12:43 AM**To:** 'farah.faroul@uspto.gov'**Subject:** Interview Outline for In-Person Interview in Regard to Application S.N. 10/678,759

Interview Outline for In-Person Interview in Regard to U.S. Patent Application S.N. 10/678,759

This E-mail is to serve as an interview outline and is being provided as requested. The interview is currently scheduled for October 11, 2007 at 2:15 pm.

Applicant notes that claim 1 recites:

1. A method of operating a wireless communications device, comprising:
maintaining a first set of queue information indicating for each of a plurality of different transmission priority levels a number of **data units to be transmitted**;
and
periodically generating a **group of transmission requests** over time as a function of said maintained queue information, said group of transmission requests including:
a first transmission request specifying an **absolute number of data units to be transmitted** for a first one of said plurality of different transmission priority levels.

In rejecting claim 1 and various other claims the Examiner relies on a combination of references. For example, the obviousness rejection of claim 1 is based on US 6,868,087; 7,002,929 and US 5,515,379 to Crisler et al.

Applicant intends to briefly discuss the references focusing on the following issues, among others. Many of the portions of the references cited by the Examiner deal with processing of requests of various types after they have already been generated while claim 1 is directed to "generating a **group of transmission requests**" among other things. The processing of previously generated requests does not necessarily render the claimed subject matter obvious. More importantly however, is the Examiner's apparent reliance on requests for time slots in US Patent No. 5,515,379 as corresponding to "a request specifying an absolute number of data units to be transmitted".

It should be appreciated that time slots represent a resource that can be used to communicate data. A number of time slots is not "an absolute number of data units to be transmitted". Data and time slots are NOT the same thing. The distinction can be an important one particularly in the case of wireless communications devices. As will be discussed during the interview, in a wireless communication system channel conditions and other factors may affect the amount of data which can be communicated in a time slot. Accordingly, in a wireless system there is normally not a one to one correspondence between time slots and an amount of data since over time channel conditions can vary. The amount of data a time slot can communicate may vary not only on the channel conditions but other factors as well. When the difference between time slots and data is considered, it should be appreciated that a request for a number of transmission time slots is different than a transmission request which indicates an amount of data to be transmitted and that requests for a number of time slots actually teaches away from the claimed method of requests which use "an absolute number of data units to be transmitted".

Best regards,

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